

REMARKS

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, amendment and reconsideration of the Office Action, mailed on January 15, 2005 is respectfully requested by Applicants.

Summary

Claims 1 – 2 stand rejected. Claims 1 – 2 have been amended. No new matter has been introduced as a result of these amendments.

Claims 1 – 2 are pending following entry of the present amendments and remarks.

Objection to the Abstract

The Examiner has objected to the abstract of the disclosure, stating that the term “means” makes the abstract read as a claim. Accordingly, Applicants have substituted the term “means” with the term “unit”, and rewritten the abstract to remove the claim language.

Rejection under 35 U.S.C. § 102

The Examiner has rejected Claim 1 under 35 U.S.C. § 102 (b) as being anticipated by Iwasaki (U.S. Patent 5,513,222). Although, Applicants respectfully traverse this rejection, Claim 1 has been amended to clarify the invention and remove any ambiguities that might have been the basis for this rejection.

Amended Claim 1 is directed to a diversity receiving apparatus. Claim 1 now recites that “phases of reception signals other than a maximum-level reception signal are controlled so as to have the same phase as a phase of the maximum-level reception signal, and the phase-controlled signals are input into the adding unit.”

Applicants submit that Iwasaki is silent about phases of reception signals other than a maximum-level reception signal being adjusted to match the phase of the maximum-level reception signal. Iwasaki discloses that a phase difference detector detects a phase difference between the first and second main amplified signals. The phase difference detector produces a phase difference signal, and communicates it to the variable phase shifter which corresponds to the first main amplified signal. Once phase-shifted, the first main amplified signal is supplied to the adding unit to be added with the second main amplified signal. Thus, Iwasaki does not identify or evaluate a maximum level signal. As such, in contrast to the claimed

feature, Iwasaki fails to teach or suggest that the phases of reception signals other than a maximum-level reception signal are adjusted to match the phase of the maximum-level reception signal.

Accordingly, Claim 1 is allowable over Iwasaki. Applicants respectfully request that the rejections of Claim 1 under 35 USC 102(b) be withdrawn.

Rejection under 35 U.S.C. § 103

The Examiner has next rejected Claim 2 under 35 U.S.C. § 103 (a) as being unpatentable over Iwasaki in view of Hecken (Hecken) (U.S. Patent 4,373,207). Applicants respectfully traverse this rejection.

As shown above in regard to Claim 1, Iwasaki fails to teach the claimed subject matter. Accordingly, Iwasaki and Hecken may not properly be combined to reject Claim 2. Claim 2 is allowable over the cited references, taken singly or in combination with each other.

Hence, Applicants respectfully request that the rejections of Claim 2 under 35 USC 103(a) be withdrawn.

Conclusion

Applicants submit that this application is now in condition for allowance, and favorable reconsideration of this application in view of the above amendments and remarks is respectfully requested. Allowance of Claims 1 and 2 at an early date is earnestly solicited. If, there are any fees due, Applicants request that this paper constitutes any necessary petition and authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-1925.

If the examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,
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